

REMARKS

Final Status

The pending Office Action has been made final on the holding that Applicant's prior amendment necessitated the new ground(s) of rejection, per MPEP § 706.07(a). Applicants strenuously object to this holding. However, Applicant's amendment, incorporating the exact language of previously presented claim 14 into claim 1, did not introduce new subject matter for consideration by the Examiner.

Under MPEP § 706.07(a), an subsequent action cannot be made final if the examiner introduces a new ground of rejection that is not necessitated by Applicant's amendment of the claims. In the prior response filed by the Applicant, when claim 14 was introduced, reciting the minimum and maximum diameter with the maximum diameter being created by the reinforcing rod, the Examiner had an opportunity to consider the claim, and reject it with all applicable prior art and a rejection was made of claim 14 with specific points of rejection made and responded to by Applicant.

Merely incorporating the full substance of a previously rejected dependent claim into an independent claim does not necessitate a new grounds of rejection. There was ample opportunity in the prior Office Action to raise the preset grounds of rejection.

- It is requested that the finality status of this Application be withdrawn.

35 U.S.C. § 103

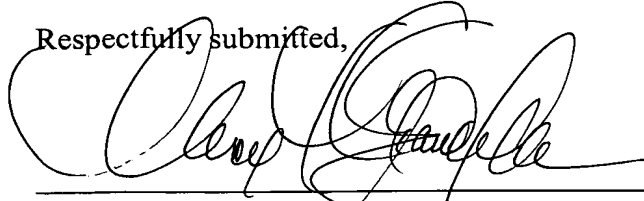
Claim 1 has been rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 325,591 to Coultas in view of U.S. 5,899,237 to Akedo et al.

This rejection is now moot due to the amendment to claim 1, incorporating the allowable subject matter of claim 2.
respectfully requested that the rejection be withdrawn.

In light of this amendment, all of the claims now pending in the subject patent application are allowable. Thus, the Examiner is respectfully requested to allow all pending claims.

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Respectfully submitted,



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